

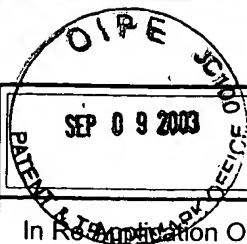
**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail number EL 729389691 US in an envelope addressed to "Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, on November 9, 2001.

David L. Heath

David L. Heath  
Signature

11/9/01  
Date of Signature



SEP 09 2003

TRANSMITTAL LETTER  
(General - Patent Pending)Docket No.  
44342.013600

In Re Application Of: TOMI, H., et al

Serial No.  
10/031,650Filing Date  
November 9 2001Examiner  
PATTEN, P.RECEIVED  
SEP 12 2003  
Group Art Unit  
1654  
TECH

Title: COMPOSITIONS FOR RECOVERING HYPOFERTILITY

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Amendment  
postcard receipt  
Express Mail Label EV162217607US

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
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50-1561

Signature

Dated: September 9 2003

Eugene C. Rzucidlo  
Registration No. 31,900  
Customer No. 32361

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PATENT TRADEMARK OFFICE

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22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

November 9, 2001

Nippon Shinyaku Co., Ltd.

Inventor: TOMI, YOSHIDA, KISHIDA

Title: COMPOSITIONS FOR RECOVERING  
HYPOFERTILITY

S/N: N/Y/A

Enclosed please find:

1. Transmittal Letter to the US Designated/Elected Office.
  2. Copy of the first page of the Published International Application No. WOOO/67768.
  3. English translation of the International Preliminary Examination Report.
  4. English Translation of International Search Report.
  5. Executed Declaration and Power of Attorney.
  6. Recordation Form Cover Sheet.
  7. Executed Assignment.
  8. Patent Specification Preliminary Amendment.
- Kindly acknowledge receipt of this post-card by stamping and returning.

44342.013600

First Class Mail

Filing Date: November 9, 2001



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## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

## PATENTS ONLY

Tab settings → → → ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Hironori TOMI  
Masaru YOSHIDA  
Kouichi KISHIDA

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

## 2. Name and address of receiving party(ies):

Name: NIPPON SHINYAKU CO., LTD.Address: 14 Kisshoin Nishinosho MonguchichoCity: Minami-ku Kyoto-shi State/Prov.: KYOTOCountry: JAPAN ZIP: 601-8550

Additional name(s) &amp; address(es)

☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ OtherExecution Date: October 16, 2001

## 4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: November 9, 2001

Patent Application No.

Filing date

B. Patent No.(s)

01/23/2002 LLANDGRA 00000060 501561 10031101

03 FC:581 40.00 CH

Additional numbers

☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Eugene C. Rzucidlo, Esq.Registration No. 31,900Address: Greenberg Traurig, LLP885 Third Avenue, 21st Floor

Adjustment date: 12/11/2002 SNATARRD

01/23/2002 LLANDGRA 00000060 501561 10031101

03 FC:581 40.00 CR

City: New YorkState/Prov.: NYCountry: USZIP: 10022

## 6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☒ Authorized to be charged to deposit account

## 8. Deposit account number:

50-1561

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## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Eugene C. Rzucidlo

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and

3

FORM PTO-1390 (Modified)  
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

44342013600

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/031101

INTERNATIONAL APPLICATION NO.  
PCT/JPOO/02940INTERNATIONAL FILING DATE  
9 May 2000PRIORITY DATE CLAIMED  
10 May 1999

TITLE OF INVENTION

COMPOSITIONS FOR RECOVERING HYPOFERTILITY

APPLICANT(S) FOR DO/EO/US

NIPPON SHINYAKU CO., LTD.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

## Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

Copy of the first page of the published International Application Number WOOO/67768.

01/10/02

JC13 Rec'd PCT/PTO 10 JAN 2002

APPLICATION NO. (IF KNOWN, SERIAL NO.)  
10/031101INTERNATIONAL APPLICATION NO.  
PCT/JPOO/02940ATTORNEY'S DOCKET NUMBER  
44342.013600

The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

- Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$970.00
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$690.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$670.00
- ☐ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

\$840.00

\$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	16 - 20 =	0	x \$18.00
Independent claims	8 - 3 =	5	x \$78.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>			\$0.00

\$0.00

\$420.00

\$0.00

**TOTAL OF ABOVE CALCULATIONS =**

\$1,260.00

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). ☐

\$0.00

**SUBTOTAL =**

\$1,260.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

\$0.00

**TOTAL NATIONAL FEE =**

\$1,260.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☒

\$40.00

**TOTAL FEES ENCLOSED =**

\$1,300.00

Amount to be refunded \$

charged \$

☐ A check in the amount of \_\_\_\_\_ to cover the above fees is enclosed.

☒ Please charge my Deposit Account No. **50-1561** in the amount of **\$1,300.00** to cover the above fees.  
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **50-1561**. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Eugene C. Rzucidlo, Esq.  
GREENBERG TRAURIG, LLP  
885 Third Avenue  
New York, NY 10022  
Telephone Number: 212-801-2146  
Facsimile Number: 212- 688-2449

*Eugene C. Rzucidlo*  
SIGNATURE

Eugene C. Rzucidlo

NAME

31,900

REGISTRATION NUMBER

DATE

1-14-02

JG13 Rec'd PCT/PTO 10/03/01 10 JAN 2002

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Tomi et al.

Docket No.

44342.013600

Serial No.

Unknown

Filing Date

11/09/2001

Examiner

Unknown

Group Art Unit

Unknown

Invention: **COMPOSITIONS FOR RECOVERING HYPOFERTILITY**

I hereby certify that the following correspondence:

Letter and Request with Exhibits cited therein

*(Identify type of correspondence)*

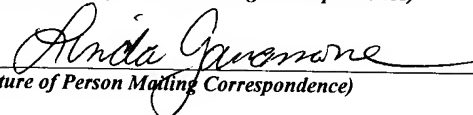
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

January 10, 2001

*(Date)*

Linda Garramone

*(Typed or Printed Name of Person Mailing Correspondence)*



*(Signature of Person Mailing Correspondence)*

EL729387761US

*("Express Mail" Mailing Label Number)*

**Note: Each paper must have its own certificate of mailing.**

Docket No. 44342.013600

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hironori TOMI, *et al.*

U.S. SERIAL NO.: N/Y/A

ART UNIT: N/Y/A

FILED: November 9, 2001

EXAMINER: N/Y/A

FOR: COMPOSITIONS FOR RECOVERING HYPOFERTILITY

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Assistant Commissioner for Patents  
Washington, D.C. 20231LETTER AND REQUEST

Sir:

On November 9, 2001, Applicants, by their Attorney of Record, filed the above-referenced patent application with the United States Patent and Trademark Office via Express Mail. Applicants have yet to receive either the return postcard or the Filing Receipt for this application. Applicants have subsequently learned from the United States Postal Service that correspondence addressed to Washington, D.C. area zip codes during that time period may not have been delivered to the Patent and Trademark Office. Enclosed herewith is a full and complete copy of the aforementioned filing, including:

- an Express Mail receipt, indicating that the package was mailed on November 9, 2001 with Express Mail identification number EL 729389691 US;
- a Certificate of Mailing by Express Mail;
- a Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371
- the first page of published international application WO 00/67768;



- an English translation of the International Preliminary Examination Report;
- an English translation of the International Search Report;
- an English translation of the patent specification and claims;
- a Preliminary Amendment;
- an executed Declaration and Power of Attorney;
- an executed Assignment with Recordation Form Cover Sheet; and
- a return postcard.

Applicants hereby request that the above filing be accorded a Filing Date of November 9, 2001, as evidenced by the date of the Express Mail receipt.

**AUTHORIZATION**

No fee is believed due for this request. However, should any fee be due, the Commissioner is hereby authorized to charge any such fee to Greenberg Traurig deposit account no. 50-1561.

Respectfully submitted,

Greenberg Traurig, LLP

Date: January 10, 2002

By:



EUGENE C. RZUCILO  
Attorney for Applicants  
Registration No. 31,900

GREENBERG TRAURIG, LLP  
Third Avenue, 22nd Floor  
York, NY 10022-4834  
(212 801-9200)

<b>CERTIFICATE OF MAILING "EXPRESS MAIL" (37 CFR 1.10)</b>			Docket No. 44342.013600
Applicant(s): NIPPON SHINYAKU CO., LTD.			
Serial No. N/Y/A	Filing Date May 9, 2000	Examiner N/Y/A	Group Art Unit N/Y/A
Invention: <b>COMPOSITIONS FOR RECOVERING HYPOFERTILITY</b>			
<div style="display: flex; justify-content: space-between;"> <div style="width: 25%;"> <p>I hereby certify that this</p> </div> <div style="width: 75%;"> <p>Transmittal Letter to the United States Designated/Elected Office,            Copy of the first page of the Published International Application            No. W000/67768, the English translation of the International            Preliminary Examination Report, English Translation of International            Search Report, Executed Declaration and Power of Attorney, Recordation            Form Cover Sheet, Executed Assignment, Patent Specification            Preliminary Amendment, and Return Postcard</p> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under            37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.</p> <p>20231-0001 on <u>11/9/01</u>  <i>(Date)</i></p> <div style="text-align: right; margin-top: 20px;"> <p><u>David L. Heath</u>  <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <p><u>David L. Heath</u>  <i>(Signature of Person Mailing Correspondence)</i></p> <p><u>EL 729389705 US</u>  <i>("Express Mail" Mailing Label Number)</i></p> </div> </div> </div>			
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